HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.20538 of 2002

29.8.2007

Between

K.Harinatha Rao ..Petitioner

AND

The Commissioner of Excise, Hyderabad and others ..Respondents

:: JUDGMENT :

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.20538of 2002

Heard Sri B.Krishna Mohan, learned counsel for the petitioner as well as the learned Government Pleader for Prohibition and Excise.

This writ petition has been instituted questioning the action of the respondents 1 and 2 in granting a licence in favour of the third respondent to operate a retail liquor vend in a densely populated residential locality of Nellore town.

The learned Government Pleader for Prohibition and Excise has pointed out that as at present, the licence granted particularly in favour of the third respondent is not subsisting and in fact no such licence was granted in favour of any other retail vendor.

Recording the submission of the learned Government Pleader, this writ petition is dismissed as the cause in the writ petition does not survive for any further adjudication.

However, I am sure that the respondents 1 and 2 will observe the requirements of law very faithfully while considering even at a later point of time any application for establishment of any retail liquor vend in Saraswathi Nagar locality of Nellore town keeping in view all the factors such as densely populated residential area having access to various educational and religious institutions.

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NOOTY RAMA MOHANA RAO.J.

29.8.2007
psr